

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 93 - 71

WASTE DISCHARGE REQUIREMENTS FOR:

**NOVATO MOTEL
8141 REDWOOD BLVD.
NOVATO, CA 94947**

FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. Frank H. and Grace C. Wong, Heng-Teng Chiang, Heng-Ta Chiang, and Ju-Chin Chang dba Novato Motel (hereinafter collectively known as the Dischargers) own and operate segments of a wastewater collection, treatment and disposal pond system in Novato, Marin County.
2. The Dischargers submitted a Report of Waste Discharge, dated June 30, 1993, for updating and reissuance of Waste Discharge Requirements for the discharge of domestic wastewater to on-site treatment and disposal pond.
3. The Novato Motel wastewater discharge is presently governed by Waste Discharge Requirements prescribed by this Board's Order No. 82-89, adopted on June 16, 1982.
4. The Dischargers presently collect, treat and store for evaporation approximately 7,000 gallons per day (gpd) of domestic sewage in the months of December through March and 10,000 gpd in April through November from a 60 unit motel. The motel includes a 100 seat restaurant. The wastewater is discharged from the motel into a 1,500 gallon septic tank and then is transported to an evaporation pond for final disposal owned by Clarence and David Leveroni located between Highway 101 and Binford Road. Any overflow of waste effluent from the evaporation pond would overflow to Basalt Creek, tributary to Black John Slough and thence to the Petaluma River. Attachment A is a location map of these facilities, and is hereby made a part of this Order.
5. The evaporation pond is surrounded by levees that are constructed at a three horizontal to one (3:1) vertical slope. There are two derbies of inner levees inside the pond left from the older multiple pond system. The estimated

surface area at the top of the pond, the design surface area of the pond at maximum capacity (2 feet freeboard), and surface area at the base of the pond are illustrated in the Table 1. The maximum design depth of the pond from the top of the berm is 5.8 feet and the average depth of the pond is about 5.3 feet.

Table 1 - Evaporation pond specifications

Location	Surface Area, ft ²	Capacity, ft ³ (Gallon)
At the top of the berm	205,010	979,330 (7,326,400)
At 1 foot freeboard	196,918	777,150 (5,813,900)
At Maximum Capacity (2 feet freeboard)	188,825	583,070 (4,361,940)
Pond's Base	164,550	--

6. This project involves the continued operation of a privately-owned domestic sewage treatment and disposal facility with negligible or no expansion of use beyond that previously existing. Consequently, this project will be exempted from the provisions of the California Environmental Act (CEQA) in accordance with Title 14, Chapter 3, section 15101 of the California Code of Regulations.
7. The Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986. The Basin Plan identifies water quality objective and beneficial uses for Petaluma River.
8. The Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on September 16, 1992 and the State Board approved it on April 27, 1993. The Basin Plan identifies water quality objective and beneficial uses for Petaluma River.
9. The beneficial uses of the Petaluma River are:
 - a. Fresh water Replenishment
 - b. Navigation
 - c. Water contact recreation
 - d. Ocean Commercial and Sport Fishing
 - e. Warm Fresh Water Habitat
 - f. Preservation of Areas of Special Biological Significance
 - g. Wildlife Habitat
 - h. Preservation of Rare and Endangered Species
 - i. Marine Habitat
 - j. Fish Migration

10. The pond system experienced violation of the minimum two feet freeboard in March 1992. The freeboard was reduced to about six inches and the ponds were in danger of overflowing to the Basalt creek and Binford road.
11. The Dischargers requested and were granted permission to increase freeboard through pasture irrigation on an emergency basis to prevent overflows. They were also required to develop and implement a plan to prevent the same situation from occurring during future rainy seasons.
12. The Dischargers submitted their engineered plan on April 13, 1992. The plan included a water balance for the evaporation ponds, a description of the emergency levee construction, and a brief discussion of long-term alternatives for treatment and disposal of the sewage generated by the motel. Their plan suggested three long-term options: a) Line the existing ponds with an impermeable barrier to minimize infiltration to the pond from Basalt creek and from ground water; B) have the existing septic tank pumped regularly so no wastewater is sent to the evaporation ponds; and c) Connect to the City of Novato sanitary sewer. The plan also recommended a feasibility study for determination of the long-term disposal solution.
13. Another engineering survey concluded that leaks in Motel's toilets and high water consumption in 1992 was the cause of higher water level in the pond system. The Motel owners replaced the toilets. The Dischargers implemented some water conservation measures and raised the levees height to increase freeboard. For the long-term solution the Dischargers indicated that a number of other property owners in the neighborhood were contemplating developing an assessment to extend the public sewer to the area. The Motel would hook up at that time.
14. High pond level were experienced again in February 1993, water level reaching to about 8 inches within the top of the levees. On February 22, 1993, the combination of high water level and winds threatened overflow of the ponds to Basalt creek and the Binford road. The Board authorized the temporary discharge of ponds wastewater to the same pasture land.
15. The poor performance of the current disposal system indicates that the present pond system is not adequate to comply with requirements and protect water quality during the rainy season. Therefore, one of the provisions of this Order requires the submittal of a wastewater management plan that will ensure total waste containment during rainy seasons.
16. The major problem with the evaporation pond is the shallow depth of the pond. Based on the approved Waste Discharge Requirements, the pond depth (or capacity) should be high enough to achieve compliance during entire wet season with a rainfall record greater than once in every ten year. The evaporation pond has an average effective depth (depth at 2 feet freeboard) of 3.3 feet, while the statistically calculated ten year rainfall record for Novato Fire

Station #1, determined based on the last 35 rainfall years record, is 38.12 inches. Since daily evaporation rate during the months of December, January, and February decreases significantly (daily average drops to less than 0.03 inch/day), the existing pond system does not have enough capacity to hold both the rain and the wastewater generated in the Motel during these three months. Since the pond has a shallow slope and the area of its top surface is about 25% more than the base of the pond the collected rain water can significantly reduces the freeboard below 2 feet before the end of rainy season.

17. The Board has notified the Dischargers and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
18. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to the provisions of Division 7 of the California water Code and regulations adopted thereunder, and to the provisions of the Clean Water Act and regulations adopted thereunder, that Frank H. and Grace C. Wong, Heng-Teng Chiang, Heng-Ta Chiang, and Ju-Chin Chang shall comply with the following:

A. Prohibitions

1. Overflow from the evaporation ponds is prohibited. There shall be no bypass or overflow of waste to waters of the State from the collection, treatment, or pond system.
2. Discharges of wastewater to any land than the evaporation pond is prohibited.
3. Wastewater ponding which could provide a breeding area for mosquitoes is prohibited.
4. The average wastewater flow to the ponds shall not exceed 7000 gallons per day, as monthly average, during high-rainy four months of December through March, and 10,000 gallons per day during April to November of each year.
5. The discharge of toxic substances into the Discharger's wastewater ponds which will disturb the pond's normal biological mechanisms is prohibited.

B. Specifications

1. The pond shall be protected against erosion, washout, and flooding from a flood having a predicted frequency of once in 100 years.
2. To prevent threat of overflows, a minimum freeboard of two feet shall be maintained in pond at all times. Freeboard is the vertical distance between the water surface and the lowest elevation of the top of the pond perimeter. [The Dischargers may be allowed to reduce the freeboard to one foot provided that a detailed water balance shows that the present pond system can be adequately modified to provide total waste containment (e.g. section of pond system may be set aside for overflow protection)]. Engineered design of this modification should be approved by the Executive Officer.
3. The public shall be effectively excluded and notified of the presence of wastewater in the evaporation ponds.

C. Provisions

1. During the last two winters the pond system had experienced violation of two feet freeboard. These violations are the result of shallow depth (5.3 feet) and rather low slope (3:1) on the berm which cause collection of a considerable amount of rain water. Therefore, pursuant to California Water Code Section 13304, the Dischargers shall :

Comply with Prohibition A.2 and Specifications B.2 of Order this Order with the following schedule:

<u>Task</u>	<u>Completion date</u>
Submit technical report describing corrective action necessary to achieve total waste containment during rainy seasons (see specification 2 above). Report must include: <ol style="list-style-type: none">a. a monthly water balance on the modified pond system indicating adequate capacity for storage and evaporation of the wastewater associated with the permitted production, andb. a time schedule for construction of corrective measured and full compliance with requirements.	by August 20, 1993

The plan must be signed by a registered engineer.

2. The Dischargers shall comply with all sections of this Order immediately upon adoption.
3. The treatment or storage of waste shall not create a pollution or nuisance as defined in Sections 13050 (l) and (m), respectively, of the California water Code.
4. The Dischargers shall maintain in good working order and operate, as efficiently as possible, any facility installed to achieve compliance with the waste discharge requirements.
5. This Order does not authorize the reclamation or reuse of wastewater generated by the facility.
6. The discharge of waste shall not degrade the quality of any ground water suitable for domestic use or cause an increase in any quality parameter that would make ground water unsuitable for irrigation use.
7. By October 1 of each year, the discharger shall submit a report to the satisfaction of the Executive Officer containing the depth of freeboard in the pond, and an assessment of the ability of the pond to maintain the minimum freeboard in the ponds through the wet season with anticipated rains and waste inflow.
8. In reviewing compliance with prohibitions A.1 and A.2, and Specification B.2, the Board will take special note of difficulties which may be encountered in achieving compliance during entire wet seasons having a rainfall recurrence interval greater than once in ten years.
9. When an approved public sanitary sewer is within 400 ft. of the evaporation pond, the Dischargers shall submit a technical report to the satisfaction of the Executive Officer and time schedule describing how the ponds will be abandoned and connection made to the sanitary sewer.
10. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Dischargers shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this Board.
11. The Dischargers shall permit the Board or its authorized representatives in accordance with California Water Code Section 13267 (c):
 - a. Entry upon premises in which an effluent source is located or in which any required records are kept.

- b. Access to copy any records required to be kept under terms and conditions of this Order.
 - c. Inspection of any monitoring equipment or method required by this Order.
 - d. Sampling of any stored or disposed wastewater.
12. In the event the Dischargers are unable to comply with any of the conditions of this Order due to:
- a. Breakdown of wastewater transport or treatment equipment;
 - b. Accidents caused by human error or negligence; or
 - c. Other causes such as acts of nature,
- the dischargers shall notify the Board by telephone as soon as the Dischargers or the Discharger's agents have knowledge of the incident. Written confirmation of this notification shall be submitted within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the non-compliance and shall indicate what steps were taken to correct the problem and the dates thereof, and what steps are being taken to prevent the problem from recurring.
13. After notice and opportunity for a hearing, this Order may be terminated or modified for cause including, but not limited to:
- a. Violation of any term or condition contained in this Order;
 - b. Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts;
 - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized reuse; or
 - d. Endangerment to public health or environment that can only be regulated to acceptable levels by Order Modification or Termination.
14. The Board will review this Order periodically and may revise the requirements as necessary to comply with changing State and Federal laws, regulations, policies, or guidelines; changes in this Regional Board's Basin Plan; or changes in discharge characteristics.
15. The Dischargers shall file with the Board a report on waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge.

16. The Dischargers shall comply with the Self-Monitoring Program as ordered by the Executive Officer.
17. The Waste Discharge Requirements prescribed by this Order supersede those prescribed by this Board's Order No. 82-29. Order No. 82-29 is hereby rescinded.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on July 21, 1993.

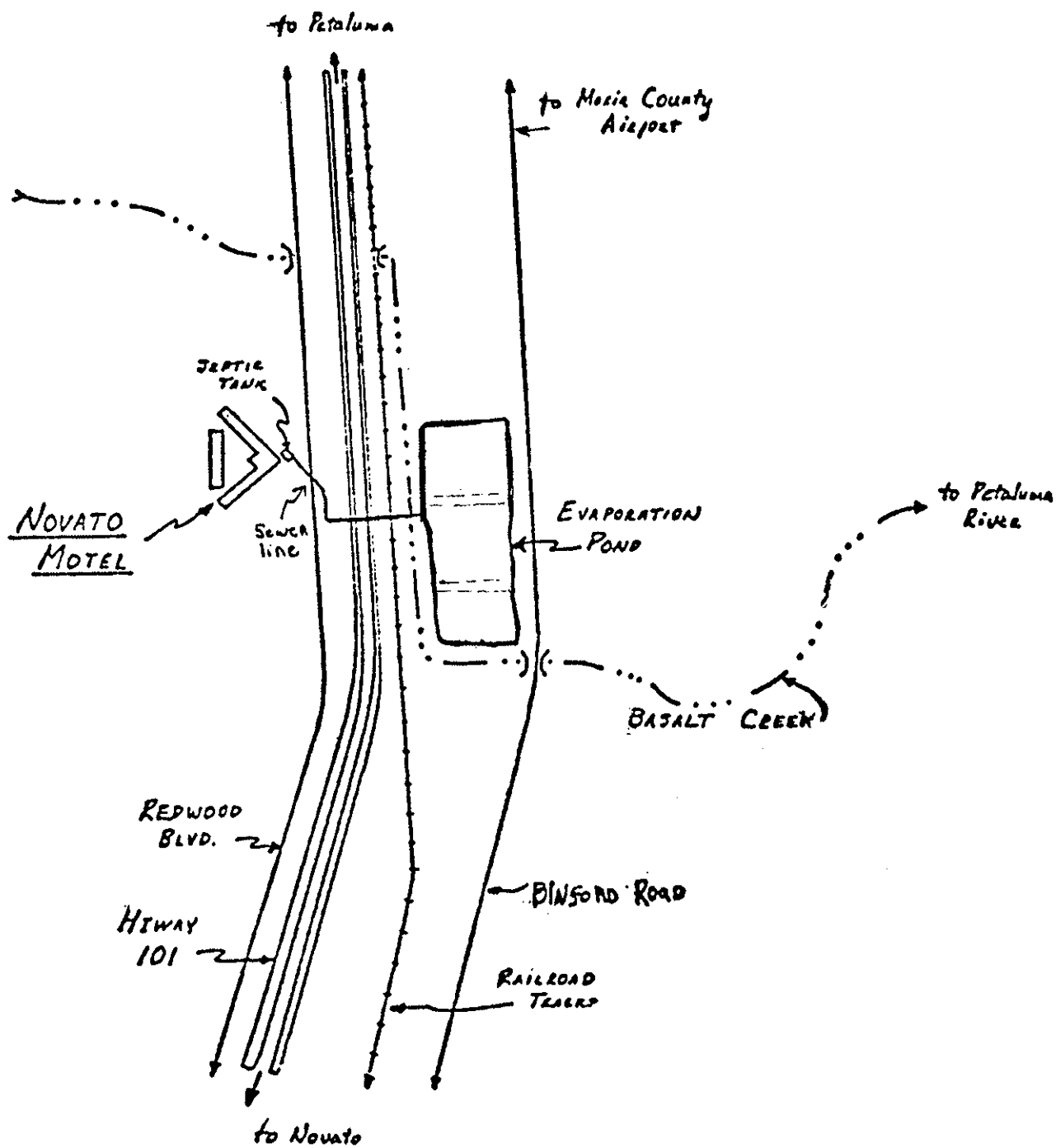


STEVEN R. RITCHIE
Executive Officer

date Issued: 7/21/93

Attachments:

- A. Location Map



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no scale

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOVATO MOTEL
and
EVAPORATION PONDS

DRAWN BY: FIIW/ DATE: 3-81 DRWG. NO.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM

FOR

NOVATO MOTEL

MARIN COUNTY

ORDER NO. 93 - 71

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

I. GENERAL

Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13268, 13383, and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16. The principal purposes of a self-monitoring program are:

1. To document compliance with waste discharge requirements and prohibitions established by this Regional Board; and
2. To facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge.

II. SCHEDULE OF INSPECTION, OBSERVATIONS AND REPORTING

The dischargers are required to perform inspections, observations and reporting according to the following schedule and conditions:

A. Spills

A report shall be made of any accidental spill of waste. Accidental spills shall be reported to this Regional Board by telephone immediately after it occurs. The subsequent written report shall be filed within five (5) days and shall contain information relative to:

- a. Nature of waste or pollutant,
- b. Quantity involved,
- c. Cause of spilling,
- d. Estimated size of affected area,
- e. Nature of effects
- f. Corrective measures that have been taken, or planned, and a schedule of these activities.

B. Evaporation Pond(s)

1. Estimate the average monthly wastewater flow to the evaporation pond(s) in gallons.
2. Wastewater collected in the evaporation pond(s) shall be sampled for the following parameters:

<u>Parameter</u>	<u>Sample Collection</u>
Dissolved Oxygen, mg/l	Monthly
Temperature	Monthly
pH	Monthly

3. Determine freeboard every two weeks.
4. During any month that waste is present the pond, the pond area shall be inspected at least once a week for condition of the levees, seepage, overflow, odor and compliance with all other waste discharge requirements.

C. Reporting

1. Written reports shall be filed regularly for each calendar quarter and submitted by the fifteenth day of the following month (i.e. fifteenth of January, April, July, and October). The reports shall include the following:

a. Letter of Transmittal

A letter transmitting self-monitoring reports should accompany each report. Such a letter shall include a discussion of requirement violations found during the past month and actions taken or planned for correcting violations. Monitoring reports and the letter transmitting reports shall be signed by a responsible official. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true and correct.

b. Violations

A description of each violation, if there is any, occurring during the subject month and including the cause, time, date, duration and, if appropriate, amount and point (include map) of waste discharge.

c. Data Results

All results observed or analyzed in A and B.

2. By October 1 of each year, a report shall be submitted to the satisfaction of the Executive Officer containing the depth of freeboard in the pond, and an assessment of the ability of the ponds to maintain the minimum freeboard in the ponds through the wet season with anticipated rains and waste inflow.

I, Steven R. Ritchie, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Regional Board's Resolution 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 86-50.
2. Is effective on the date shown below.
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the discharger, and revisions will be ordered by the Executive Officer.



Steven R. Ritchie
Executive Officer

Effective Date: 7/26/93